

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) Case No.: CR04-402-TSZ-JPD
Plaintiff,)
v.)
JOSE JESUS BARRERA-LULE,) SUMMARY REPORT OF U.S.
Defendant.) MAGISTRATE JUDGE AS TO
) ALLEGED VIOLATIONS
) OF SUPERVISED RELEASE
)
)

An initial probation revocation hearing on a supervised release violation in this case was held before the undersigned Magistrate Judge on July 14, 2005. The United States was represented by Assistant United States Attorney Patricia Lally, and the defendant by Mr. Russell Aoki. The proceedings were recorded on cassette tape.

The defendant had been sentenced on or about April 15, 2005, by the Honorable Thomas S. Zilly on a charge of distribution of cocaine, and received a sentence of time served to be followed by three (3) years of supervised release.

The conditions of supervised release included the requirements that defendant comply with all local, state, and federal laws, and the standard conditions, submit to search, participate in a substance-abuse treatment program, provide any requested financial information, and participate in the home-confinement program for a period of ninety (90) days.

**REPORT AND RECOMMENDATION OF
U.S. MAGISTRATE JUDGE AS TO ALLEGED
VIOLATIONS OF SUPERVISED RELEASE**

In the Violation Report and Request for Warrant dated June 23, 2005, U.S. Probation Officer Steven Gregoryk asserted the following violation of the conditions of supervised release: using cocaine on or before May 3, 2005, May 31, 2005, and June 17, 2005, in violation of standard condition No. 7.

The defendant admitted to the violation, and waived any evidentiary hearing as to whether they occurred.

I therefore recommend that the Court find the defendant violated his supervised release as to the violation. A hearing has been set before the Honorable Thomas S. Zilly for disposition of the violation.

Pending a final determination by the Court, the defendant has been ordered to be subject to continued supervised release with electronic home monitoring.

DATED this 14th day of July, 2005.

James P. Donohue
JAMES P. DONOHUE
United States Magistrate Judge

cc: District Judge: The Hon. Thomas S. Zilly
AUSA: Ms. Patricia C. Lally
Defendant's attorney: Mr. Russell M. Aoki
Probation officer: Mr. Stephen R. Gregoryk

**REPORT AND RECOMMENDATION OF
U.S. MAGISTRATE JUDGE AS TO ALLEGED
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